

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

MAR 31 2005

APPLICANT: Yongdong WANG

CONFIRMATION NO. 2869

SERIAL NO.: 10/689,313

ART UNIT: 2863

FILED: 10/20/2003

EXAMINER: John H. LE

TITLE: METHODS FOR OPERATING MASS SPECTROMETRY (MS)
INSTRUMENT SYSTEMS

ATTORNEY DOCKET NO.: 165-7 (CE-003)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(c)

In accordance with the duty of disclosure, Applicant calls to the attention of the Examiner the document cited on the attached forms PTO-1449 (Substitute). It is respectfully requested that the Examiner consider this document, and make it of record.


In the Amendment mailed on March 22, 2005, it was argued that it was not proper to combine the teachings of Ganz et al. (USP 6,049,762) with other cited art, because Ganz et al. do not mention mass spectrometry. While Applicant maintains that such combination is not proper, it is pointed out that Wang et al. (USP 6,138,082) cited herein, is a patent outside the field of mass spectrometry, which as an afterthought, in column 11, lines 6 - 9, states: "Other classes of instruments suitable for the invention are mass spectrometers, analytical x-ray instruments, and other analytical instruments that effect analytical profiles in the analysis of substances" However, there is no other mention of mass or mass spectrometry in Wang et. al.

SERIAL NO.: 10/689,313

FILED: 10/20/2003

Please charge the required fee of \$180 to deposit
account no. 502244. A duplicate of this page is enclosed.

Respectfully submitted,



David Aker, Reg. No. 29,277
23 Southern Road
Hartsdale, NY 10530
Tel. & Fax 914 674-1094

3/31/2005

Date

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being
facsimile transmitted on the date listed below to the
Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450 on the date listed below.

MARCH 31, 2005

Date



Name of Person Making Deposit

SERIAL NO.: 10/689,313

FILED: 10/20/2003

Please charge the required fee of \$180 to deposit account no. 502244. A duplicate of this page is enclosed.

Respectfully submitted,

David Aker
David Aker, Reg. No. 29,277
23 Southern Road
Hartsdale, NY 10530
Tel. & Fax 914 674-1094

3/31/2005
Date

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted on the date listed below to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date listed below.

MARCH 31, 2005
Date

David Aker
Name of Person Making Deposit

INFORMATION DISCLOSURE CITATION FORM FOR PATENT APPLICATION (FORM PTO-1449) (Substitute)			Docket No.: 165-7 (CE-003)		Serial No.: 10/689,313	
			Applicant(s): Yongdong WANG			
			Filing Date: 10/20/03		Group: 2863	
U.S. PATENTS						
Initials	Patent Number	Issue Date	Name	Class	Sub-class	Filing date
	6,138,082	10/2000	Wang et al.			
FOREIGN PATENT DOCUMENTS						
Initials	Document Number	Date	Country	Name	Translation? Yes/No/n/a	
OTHER DOCUMENTS (Title, Author, Date, Pages, Etc., if known)						
Examiner's Signature:				Date Considered:		
<small>Initial if reference was considered, whether or not citation is in conformity with MPEP. Mark through citation if not considered. Include a copy of this citation form with your next correspondence to the Applicant(s).</small>						